

Message Text

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ORIGIN EUR-12

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L/EUR: HRUSSELL

S/S: CABORG

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P R 130008Z MAR 76

FM SECSTATE WASHDC

TO AMEMBASSY PRAGUE PRIORITY

INFO AMEMBASSY SOFIA

AMEMBASSY BUDAPEST

C O N F I D E N T I A L STATE 061128

E.O. 11652: GDS

TAGS: PFOR, SCUL, CZ

SUBJECT: CUL/SCI EXCHANGE TALKS

REF: PRAGUE 509

1. THERE ARE THREE ISSUES WHICH SHOULD BE ADDRESSED AT
YOUR MEETING ON MARCH 18 IN RESPONSE TO ZEMLA'S PRESENTATION
ON FEBRUARY 26:

2. CSCE REFERENCE IN PREAMBLE: ALTHOUGH ZEMLA DID NOT
ACKNOWLEDGE OUR SUGGESTED REFERENCE TO CSCE IN THE
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PREAMBLE, WE PRESUME THE TWO PARAS HE HAS SUBMITTED

INDICATE THAT THE CZECH SIDE WAS NOT PREPARED AT THE OUTSET TO ACCEPT OUR WORDING. CONCERNING THE C7ECH DRAFT, THE FIRST PARAGRAPH (CONVINCED THAT . . .) IS UNDESIRABLE FROM THE US VIEWPOINT. THOUGH OUR MUTUAL COOPERATION SHOULD PROCEED IN FULL OBSERVANCE OF CSCE PRINCIPLES, INCLUDING THE PRINCIPLE OF COOPERATION, WE BELEIVE THAT TO REFER ONLY TO THE PRINCIPLES WOULD HAVE THE EFFECT OF HIGHLIGHTING THAT PORTION OF THE ACT AT THE EXPENSE OF OTHERS (AN OBJECTIVE THE EAST CONTINUES TO PURSUE STRENUOUSLY AS A MATTER OF GENERAL POLICY). ANY REFERENCE TO THE CSCE, THEREFORE, SHOULD REFER TO THE FINAL ACT AS A WHOLE. THE SECOND PARAGRAPH ("ACTING

IN THE SPIRIT . . .") DOES REFER TO THE ACT AS A WHOLE BUT TIES THE AGREEMENT TOO CLOSELY TO THE CSCE IN A WAY WHICH COULD LATER PROVE PREJUDICIAL. FOR EXAMPLE, IF THE EXCHANGES AGREEMENT WE ULTIMATELY NEGOTIATE TURNS OUT TO BE RELATIVELY WEAK ON PROVIDING FOR CONTACTS BETWEEN INDIVIDUALS, IT COULD THEN BE ARGUED THAT THE AGREEMENT HAD A LIMITING EFFECT ON THE TERMS OF THE FINAL ACT REGARDING CONTACTS BETWEEN INDIVIDUALS (WHICH WERE INSERTED IN THE ACT BY THE WEST AGAINST EASTERN OPPOSITION).

3. WE WOULD THUS PREFER THE CSCE LANGUAGE OFFERED IN 75 STATE 244580, ALTHOUGH WE WOULD OF COURSE BE PREPARED TO DISCUSS ALTERNATIVE FORMULATIONS. WHATEVER LANGUAGE WE ULTIMATELY AGREE UPON SHOULD NOT IMPLY THAT THE NEW AGREEMENT IS SPECIFICALLY DERIVED FROM CSCE OR CONSTITUTES FULL IMPLEMENTATION OF THE OBLIGATIONS OF THE FINAL ACT. OUR VIEWS ON THIS SUBJECT ARE FURTHER ELABORATED IN STATE 42689.

4. NATURE OF EXCHANGES AND CONTACTS: WHILE WE AGREE THAT THE "PRIVATE INITIATIVE OF INDIVIDUALS WILL NOT BE THE SUBJECT OF INTERGOVERNMENTAL EXCHANGES" (YOUR PARA 2), THE CZECHS SHOULD NOT INTERPRET FROM THIS THAT CONTACTS BETWEEN INDIVIDUALS CAN "ONLY" BE DERIVED FROM OR PROCEED WITHIN THE FRAMEWORK OF EXCHANGES BETWEEN ORGANIZATIONS, INSTITUTIONS AND SOCIETIES. WE
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WOULD WISH TO RETAIN THE CONCEPT AS LAID OUT IN PARAGRAPH ONE OF ARTICLE ONE WHICH PROVIDES FOR THE FACILITATION OF CONTACTS AND ACTIVITIES OF "INDIVIDUALS AND INSTITUTIONS." WE MIGHT BE AMENABLE TO CHANGING "INDIVIDUALS AND INSTITUTIONS" TO "ORGANIZATIONS, INSTITUTIONS AND INDIVIDUALS," IF THE CZECHS ARE MORE COMFORTABLE WITH THAT WORDING. WE WISH TO AVOID ANY UNDERSTANDING OR WORDING WHICH COULD FORECLOSE

ON INDIVIDUAL ATTEMPTS TO DEVELOP EXCHANGES.

5. JOINT COMMISSION: WE BELIEVE THAT YOUR WORDING (PARA 6 REFTTEL), "A REVIEW GROUP . . . FUTURE PROGRAMS" IS SUFFICIENTLY ELASTIC FOR OUR PURPOSES. WE WOULD SUBSTITUTE, HOWEVER, "AS NECESSARY" FOR "PERIODICALLY" AND INSERT "CULTURAL AND SCIENTIFIC" BETWEEN "VARIOUS" AND "PROGRAMS." DESPITE THE FACT THAT THE CZECHS SEEK THIS SORT OF ARRANGEMENT ONLY FOR THE SCIENTIFIC SIDE,

WE BELIEVE THAT IF WE ARE GOING TO ACCEPT SOME FORM OF REVIEW BODY, WE SHOULD APPLY IT TO THE CULTURAL SIDE AS WELL. WE WOULD THEREBY AVOID GIVING THE CZECHS THE IMPRESSION THAT WE WILL GIVE THEM THE CHANCE TO REVIEW THE PROGRESS OF THE SCIENTIFIC SIDE OF THE AGREEMENT WITHOUT OUR HAVING THE OPPORTUNITY TO DO THE SAME IN THE CULTURAL FIELD. ALSO, TO PROVIDE FOR SUCH A BODY IN JUST THE SCIENTIFIC FIELD COULD GIVE THE IMPRESSION OF AN IMBALANCE IN THE AGREEMENT.

6. WE WERE INTRIGUED BY THE CZECH STATEMENT THAT THERE ARE NOW THREE DRAFTS EXTANT. AS YOU CORRECTLY POINTED OUT, WE ARE FIRM ON HAVING A SINGLE AGREEMENT. WE HOPE THE CZECHS WILL ACCEPT OUR DRAFT AS A BASIS FOR NEGOTIATION. IT SEEMS POSSIBLE, HOWEVER, IN VIEW OF THE FACT THAT CHNOUPEK HAD EARLIER UNDERCUT THEIR ARGUMENT FOR SEPARATE AGREEMENTS, THAT THE CZECHS ALREADY HAVE PREPARED A COUNTERDRAFT OF A SINGLE AGREEMENT WHICH THEY CAN TABLE IN THE FUTURE.

7. AT THIS TIME, WE WOULD PREFER TO SEE THESE INFORMAL MEETINGS SPACED OUT TO OCCUR ABOUT EVERY TWO WEEKS OR SO, DEPENDING ON THE NUMBER OF ISSUES TO BE COVERED.
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